

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JIMMIE L. ELLIS,

Plaintiff,

v.

Case No. 10-cv-709

**SGT. PISCHKE, CAPTAIN RADTKE,
and CAPTAIN LIPINSKI,**

Defendants.

ORDER

This case was dismissed on December 9, 2010, because the complaint fails to state a claim upon which relief may be granted. See 28 U.S.C. § 1915A. Plaintiff subsequently filed a motion to amend the complaint, a proposed amended complaint, and a motion to appoint counsel. However, the proposed amended pleading also did not state a claim and therefore I dismissed the motions in an order dated February 7, 2011. Now before me are plaintiff's motion to amend along with a proposed statement of claim, and motion for appointment of counsel. However, for the reasons set forth in this court's orders of December 9, 2010 and February 7, 2011, plaintiff's motions will be denied.

IT IS THEREFORE ORDERED that plaintiff's motion to appoint counsel (Docket #24) is **DENIED**.

IT IS FURTHER ORDERED that plaintiff's motion to amend (Docket #25) is **DENIED**.

Dated at Milwaukee, Wisconsin, this 18th day of March, 2011.

/s

LYNN ADELMAN
District Judge